

Appl. No. : 09/839,974
Filed : April 20, 2001

REMARKS

The foregoing amendments and the following remarks are responsive to the March 25, 2004 Office Action. Claims 2-9, 11, 12, and 15-22 remain as previously presented, Claims 1, 10, 13, 14, 23, and 25 are amended, and Claim 24 was previously cancelled without prejudice. Thus, Claims 1-23 and 25 are presented for further consideration. Please enter the amendments and reconsider the claims in view of the following remarks.

Comments on Personal Interview of May 10, 2004

Applicant thanks the Examiner for extending the courtesy of conducting a personal interview with Applicant's representatives, Bruce S. Itchkawitz and Jerry T. Sewell, on May 10, 2004. During the interview, Claims 1 and 25 were discussed and Applicant's representatives indicated that Claims 1, 14, 23, and 25 would be amended to overcome the prior art of record. The amendments and remarks discussed herein are in accordance with this discussion.

Response to Rejection of Claims 1, 2, 5, 7, 8, 14, 15, 21, and 25 Under 35 U.S.C. § 103(a)

In the March 25, 2004 Office Action, the Examiner rejects Claims 1, 2, 5, 7, 8, 14, 15, 21, and 25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,268,849 issued to Boyer et al. ("Boyer").

Claim 1

As described herein, Applicant has amended Claim 1 to read as follows (emphasis added):

1. A method of selecting user-preferred programs from a plurality of programs, comprising:

accessing a first database that includes program information describing the plurality of programs through program attributes;

obtaining a first set of user-defined criteria for identifying preferred program attributes from user input, the preferred program attributes including attributes which a program must have in order to be of interest to the user;

obtaining a second set of user-defined criteria for identifying non-preferred program attributes from user input, the non-preferred program attributes including attributes which a program must not have in order to be of interest to the user; and

sorting through the first database using the first set of user-defined criteria and the second set of user-defined criteria to select programs, the program attributes of each selected program having the preferred program attributes and not having the non-preferred program attributes.

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Applicant submits that Boyer does not teach or suggest the method recited by amended Claim 1, so that amended Claim 1 is patentably distinguished over the prior art. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of amended Claim 1 and pass amended Claim 1 to allowance.

Claims 2, 5, 7, and 8

Each of Claims 2, 5, 7, and 8 depends from amended Claim 1. Thus, each of Claims 2, 5, 7, and 8 includes all the limitations of amended Claim 1, as well as other limitations of particular utility. For the above-stated reasons with regard to amended Claim 1, Applicant submits that Claims 2, 5, 7, and 8 are also patentably distinguished over the prior art. Applicant respectfully requests that the Examiner withdraw the rejection of Claims 2, 5, 7, and 8 and pass these claims to allowance.

Claims 14, 15, and 21

As described herein, Applicant has amended Claim 14. As discussed above in relation to amended Claim 1, Applicant submits that Boyer does not teach or suggest the apparatus recited by amended Claim 14, so that amended Claim 14 is patentably distinguished over the prior art. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of amended Claim 14 and pass amended Claim 14 to allowance.

Each of Claims 15 and 21 depends from amended Claim 14, so each of Claims 15 and 21 includes all the limitations of amended Claim 14, as well as other limitations of particular utility. Applicant therefore submits that Claims 15 and 21 are patentably distinguished over the prior art. Applicant respectfully requests that the Examiner withdraw the rejection of Claims 15 and 21 and pass these claims to allowance.

Claim 25

As described herein, Applicant has amended Claim 25. As discussed above in relation to amended Claim 1, Applicant submits that Boyer does not teach or suggest the method recited by amended Claim 25, so that amended Claim 25 is patentably distinguished over the prior art. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of amended Claim 25 and pass amended Claim 25 to allowance.

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Response to Rejection of Claims 3, 4, 9-13, and 16-20 Under 35 U.S.C. § 103(a)

In the March 25, 2004 Office Action, the Examiner rejects Claims 3, 4, 9-13, and 16-20 under 35 U.S.C. § 103(a) as being unpatentable over Boyer in view of U.S. Patent No. 6,172,674 issued to Etheredge (“Etheredge”).

Claims 3, 4, and 9-13

Applicant submits that the limitations of amended Claim 1 which are not taught or suggested by Boyer are also not taught or suggested by Etheredge. Thus, amended Claim 1 is patentably distinguished over the combination of Boyer and Etheredge.

Each of Claims 3, 4, 10, and 13 depends from amended Claim 1, Claim 9 depends from Claim 8 which depends from amended Claim 1, and each of Claims 11 and 12 depends from Claim 10. Thus, each of Claims 3, 4, and 9-13 includes all the limitations of amended Claim 1, as well as other limitations of particular utility. Applicant therefore submits that Claims 3, 4, and 9-13 are patentably distinguished over the combination of Boyer and Etheredge. Applicant respectfully requests that the Examiner withdraw the rejection of Claims 3, 4, and 9-13 and pass these claims to allowance.

Claims 15-20

Applicant submits that the limitations of amended Claim 14 which are not taught or suggested by Boyer are also not taught or suggested by Etheredge. Thus, amended Claim 14 is patentably distinguished over the combination of Boyer and Etheredge.

Each of Claims 15 and 18 depends from amended Claim 14, each of Claims 16 and 17 depends from Claim 15, and each of Claims 19 and 20 depends from Claim 18. Thus, each of Claims 15-20 includes all the limitations of amended Claim 14, as well as other limitations of particular utility. Applicant therefore submits that Claims 15-20 are patentably distinguished over the combination of Boyer and Etheredge. Applicant respectfully requests that the Examiner withdraw the rejection of Claims 15-20 and pass these claims to allowance.

Response to Rejection of Claims 6 and 22 Under 35 U.S.C. § 103(a)

In the March 25, 2004 Office Action, the Examiner rejects Claims 6 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Boyer in view of U.S. Patent No. 6,642,939 issued to Vallone et al. (“Vallone”) and U.S. Patent No. 6,305,018 issued to Usui et al. (“Usui”).

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Claim 6

Applicant submits that the limitations of amended Claim 1 which are not taught or suggested by Boyer are also not taught or suggested by Vallone or Usui. Thus, amended Claim 1 is patentably distinguished over the combination of Boyer, Vallone, and Usui.

Claim 6 depends from amended Claim 1, so Claim 6 includes all the limitations of amended Claim 1, as well as other limitations of particular utility. Applicant therefore submits that Claim 6 is patentably distinguished over the combination of Boyer, Vallone, and Usui. Applicant respectfully requests that the Examiner withdraw the rejection of Claim 6 and pass Claim 6 to allowance.

Claim 22

Applicant submits that the limitations of amended Claim 14 which are not taught or suggested by Boyer are also not taught or suggested by Vallone or Usui. Thus, amended Claim 14 is patentably distinguished over the combination of Boyer, Vallone, and Usui.

Claim 22 depends from amended Claim 14, so Claim 22 includes all the limitations of amended Claim 14, as well as other limitations of particular utility. Applicant therefore submits that Claim 22 is patentably distinguished over the combination of Boyer, Vallone, and Usui. Applicant respectfully requests that the Examiner withdraw the rejection of Claim 22 and pass Claim 22 to allowance.

Response to Rejection of Claim 23 Under 35 U.S.C. § 103(a)

In the March 25, 2004 Office Action, the Examiner rejects Claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Boyer in view of U.S. Patent No. 5,758,259 issued to Lawler (“Lawler”).

As described herein, Applicant has amended Claim 23. As discussed above in relation to amended Claim 1, Applicant submits that Boyer does not teach or suggest the method recited by amended Claim 23. Furthermore, Applicant submits that Lawler does not teach or suggest the limitations of amended Claim 23 which are not taught or suggested by Boyer. Therefore, Applicant submits that amended Claim 23 is patentably distinguished over the combination of Boyer and Lawler. Applicant respectfully requests that the Examiner withdraw the rejection of amended Claim 23 and pass amended Claim 23 to allowance.

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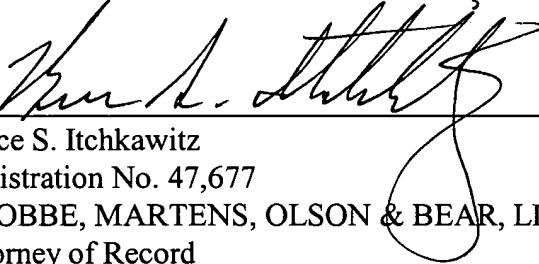
Summary

For the foregoing reasons, Applicant submits that Claims 1-23 and 25 are in condition for allowance, and Applicant respectfully requests allowance of Claims 1-23 and 25.

Respectfully submitted,

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